DOCUMENT RESUME

ED 470 353 SO 034 392

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TITLE	Stolen Property or Finders Keepers. Seventh Grade Lesson. Schools of California Online Resources for Education (SCORE): Connecting California's Classrooms to the World.
INSTITUTION	San Bernardino County Superintendent of Schools, CA.
PUB DATE	2001-00-00
NOTE	14p.
AVAILABLE FROM	Schools of California Online Resources for Education, San Bernardino County Superintendent of Schools, 601 North East Street, San Bernardino, CA 92410-3093. E-mail: webmaster@score.rims.k12.ca.us; Web site: http://score.rims.k12.ca.us.
PUB TYPE	Guides - Classroom - Teacher (052)
EDRS PRICE	EDRS Price MF01/PC01 Plus Postage.
DESCRIPTORS	Academic Standards; Cooperative Learning; Evaluation; Fine Arts; Grade 7; Imperialism; *Interdisciplinary Approach; International Cooperation; International Relations; Internet; Junior High Schools; Language Arts; *Primary Sources; *Social Studies; State Standards; War; World History; World Problems
IDENTIFIERS	California

ABSTRACT

Divided into small groups in this grade 7 interdisciplinary world history and language arts unit, students are asked to examine and debate the fate of artifacts and art work removed from its original country through war and imperialism. Students are assigned roles and provided with detailed instructions on how to prepare presentations describing their recommendations on what should happen with the art and artifacts. Included in the student guide is an in-depth list of resources, including Internet sites. The teacher's guide includes several Internet resources and detailed suggestions on how to conduct the unit. Also provided for teachers is an explanation of how the unit ties into California state standards. (RJC)

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Schools of California Online Resources for Education (SCORE): Connecting California's Classrooms to the World

Stolen Property or Finders Keepers

Seventh Grade Lesson
by Dede Tisone-Bartels

SO 034 392

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2001

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Stolen Property or Finders Keepers

By Dede Tisone-Bartels

" What a society deems important is enshrined in its art"
Broudy

INTRODUCTION

The end of imperialism and the new emphasis on international cooperation after World War II has expressed itself in surprising ways. As nations became independent of their former colonial owners, a sense of national identity grew and with it a strong sense of culture. People began to view their historic art and artifacts as improtant symbols of this culture that had been lost over the centuries.

The ownership of many priceless artworks has become questionable because of how each was acquired. Some were gotten through outright theft,others were the spoils of war. Some were taken in the process of colonization,some as bounty and others by treasure hunters.

You will become investigators and reporters looking into the matter of the ownership of some of the world's greatest art.. After your investigations you will present a case which will help determine the legal and ethical title of the current owners of these treasures.

Museums and the Spoils of War

New York Times Sec. 4,
P. 3, Sunday March 12, 1995
by Alan Riding

Even before the Romans took their pick of Greek statues, art was treated as war booty. Throughout Europe's turbulent history, art works regularly changed hands through armed conflict or political domination. And from the 19th century, the Europeans began bringing Asian, African and Latin American treasures into their museums -- to save them, it was claimed, from destruction. Increasingly, however, "victim" countries are refusing to view history as a closed book. Greece has long demanded the return of the Elgin Marbles, the 253 sculptures from the Parthenon that are in the British Museum. Turkey, China, Cambodia, Nigeria, Mali and Bangladesh say their cultural heritage was ransacked. Mexicans lament that the feathered headdress of the Aztec Emperor Moctezuma is in a Vienna museum. "For Turkey, the point of departure is that pieces should be returned to their country of origin," said Ahmed Ulker, a Turkish diplomat at Unesco, the United Nations cultural body that promotes restitution of unique art treasures. "Of course, we don't want to empty Western museums. But, as a matter of principle, art works exported illegally should be returned." ....

THE TASK

You will be divided into small groups. Each group will be asked to research an individual case in which an artifact or work of art was removed from it's origional owner or country of origon. Each person in the group will become a professional investigator and will have separate tasks to complete. When each individual has completed his or her part of the work, the group will prepare a final presentation to the "Court of Public Opinion," which will decide the fate of this work. Will it stay with the present owner, or will it be returned to its country of origin? You will be evaluating the effects of historical values and actions in todays world. You must also consider the long term impact on a transfer of ownership on the art or artifacts preservation for future generations

STUDENT PAGE

OBJECTIVES

- To bring historical knowledge to a present day problem
- To understand the concept of "ethics" as it exists today and what was considered ethical in the past
- To research international law
- To explore a single case study
- To learn about the value in history of art and artifacts

THE PROCESS

STEP ONE

- Form teams and select a case to investigate from those in the list.
- Read introductory materials and state the problem. Look at the suggested questions that each group will answer.
- Discuss the expectations of each participant

STEP TWO:

- Decide on the role of each member of the group.
- Review the tasks of each person.

- Discuss expectations for final presentation. Create evaluation rubric.
- Pass out name tags (HISTORIAN, ILLUSTRATOR, MUSEUM CURATOR, LAWYER)
- Go over individual questions and make certain each person understands the task.

STEP THREE:

Each group member begins work on his or her part of the problem

STEP FOUR:

The group reconvenes, discusses what each member has found and/or produced and plans the final presentation to the "Court of Public Opinion."

STEP FIVE:

PRESENTATION TIME!

STEP SIX:

The "Court of Public Opinion" evaluates the presentations

LEARNING ADVICE

Do not confine your research to the Internet. There are valuable resources in books and other media about these works of art and about the history surrounding the case.

TEAM ASSIGNMENTS WITH RESOURCES

1. KohiNoor Diamond - Originally Punjabi, but now one of the British Royal Crown Jewels

Resources - Royal Crown Jewels and India/Pakistan

- A version of the story of the history of the Korinoor diamond which now is one of the crown jewels of the Queen of England http://www.indian-express.com/ie/daily/20000630/ied30057.html
- KohiNoor History http://www.time.com/time/magazine/1997/int/971013/diamond.html

2. The Elgin Marbles - Originally Greek, but now in the British Museum

Resources - British Museum and Greece

- UoB Hellenic Society: Newsletter - June 96
  http://www.bris.ac.uk/Depts/Union/Hellenic/kafe3_2.htm
- Return of the Marbles; an article in US News and World Report
  http://nl13.newsbank.com/nl-search/we/Archives?s_hidethis=yes&p_product=UW&p_theme=uw&p_action=search&p_maxdocs=200&s_dispstring=19970331006556&p_field_advanced-0=&p_text_advanced-0=("19970331006556")&p_perpage=20&p_sort=YMD_date:D&xcal_useweights=no
- Site on the Elgin Marbles
  http://www.museum-security.org/elginmarbles.html

3. Greek Jewelry - dug from Greek burial ground then in hands of NY dealer

Resources - Greek Jewelry /NY art dealer

- Ancient Greek Jewelry found according to article in LA Times. The Aidonia Treasure discovered. The Michel Ward Gallery in New York vs. The Government of Greece
- Greece sues Michael Ward Gallery for return of Mycenean Jewelry
- Aidonia Treasure is returned to the Hellenic Republic Ministry of Culture.
  http://www.culture.gr/6/68/684/e68401.html

4. Cypriot Mosaics - From Greek Orthodox Church in Cyprus, recently purchased by American art dealer

Resources - Government of Cyprus vs American Art Dealer

- Appeal of Decision in US court about return of Cypriot Mosaic from French and US Art dealers

5. Benin Bronzes - Taken from Nigeria during colonial period and now in Glasgow

Resources - Nigeria and Glasgow Museum

- CNN - Africa losing priceless relics - Oct. 10, 1995
  http://www-cgi.cnn.com/WORLD/9510/mali_relics/index.html
- Scanned Page from London Paper about Benin Bronzes
  http://the.arc.co.uk/arm/art/beninNewsClip.jpeg
- African Religious And Cultural Objects - Letter from Bernie Grant, MP to Julian Spalding Curator of the Glasgow Museum which holds the Benin Bronzes
  http://the.arc.co.uk/arm/CRBBletter1.html

- Letter from Juilan Spalding in response to Bernie Grants letter
  http://the.arc.co.uk/arm/CRBBletter3.html
- Letter from Emmanula N Arinze to Julian Spalding Curator of the Glasgow Museum which holds the Benin Bronzes
  http://the.arc.co.uk/arm/CRBBletter2.html
- List of Items in Glasgow from Benin Bronzes collection
- AfrICOM ARM Benin Bronzes
  http://the.arc.co.uk/arm/home.html

6. Degas Painting - Previously owned by a Jewish family, taken by Nazis, now in Germany

Resources - Family of Jewish couple and an American private collector

- A chilling tale of Nazi war loot, a murdered Jewish couple and a small Degas pastel currently owned by a prominent American collector
  http://www.artnet.com/magazine/news/tully/tully8-30-96.html

7. AnkorWat - Being taken apart in small pieces and pirated out of the country

Resources - tourists, foreign governments, Cambodia

- http://www.angkorwat.org/

8. Peruvian Antiquities

Resources -

- Interesting story about Peruvian antiquities
  http://marauder.millersv.edu/~columbus/data/art/NAGIN-01.ART
- Crackdown on smugglers by US government
  http://marauder.millersv.edu/~columbus/data/art/NEWSBRF1.ART

9. Priam's Gold Collection - from Troy via Germany to Russia

From the ancient city of Troy to become the spoils of WWII

- Priam's Gold Collection
  http://www.uky.edu/LCC/HIS/104/s99scott.html
- A letter about a visit to the exhibition.
  http://www.umich.edu/~classics/archives/aegeanet/aegeanet.960703.02

- TROY'S LOST TREASURE
  http://www.time.com/time/magazine/archive/1996/dom/960422/archaeology.html

10. American Indian Art - in private collections

Resources - private dealers vs. Native American Tribal associations

- Native American ArtPages
  http://indy4.fdl.cc.mn.us/~isk/art/art.html
- Spoils of War - US Army and Indian artifacts
  http://www.repatriationfoundation.org/spoils.html
- Return of the Antler combs
  http://www.repatriationfoundation.org/V3i1.html#iro
- Return of the Horsestick
  http://www.repatriationfoundation.org/V2i2.html#hor
- Return of the False Face Masks
  http://www.repatriationfoundation.org/V1i1.html#fal
- Stolen Art Work
  http://www.swifty.com/stolen.html

ROLES IN EACH TEAM

- **Historian** - person to compile the facts surrounding the case
  - QUESTIONS TO ASK
    - Who are the stakeholders? Who is claiming to own the objects and why?
    - What is the position of each?
    - What were the circumstances under which the artifacts changed ownership in the first place?
    - What code of ethics applied at the time? Today?
    - Where did it come from?
    - Where did it go?
    - Where is it now?
    - Who has access to viewing or experiencing the art or artifact?
- **Illustrator** to create a drawing or model of the item and a map
  - QUESTIONS TO ASK
    - What is this work of art?
    - Where did it come from?
    - Where did it go?
    - Where is it now?
- **Museum Curator/Appraiser** - to discover the fact about the artwork itself
  - QUESTIONS TO ASK
    - What is this work of art?
    - Why is it of interest to the parties involved?
    - Why is it of value to anyone else?

        - Who has access to it now?
- **Lawyer** - to research the law
    - QUESTIONS TO ASK
        - Who are the stakeholders? Who is claiming to own the objects?
        - What law applies?
        - What/who gives the legal right to possession of the object(s)?

EVALUATION

Your grade will be based on your group participation and on the final presentation of the group. The following is a suggested rubric for evaluation

The class will develop a rubric based on the following criteria:

- Clarity of the introduction and statement of the issue.
- Scope and depth of the information provided.
- Use of primary resources (quotations, visuals, documents, etc.)
- Restatement of the issues.
- Persuasiveness of position on the issue.
- Effective oral presentation.
- Seriousness of the approach to the subject.
- Positive interaction with others in your group during research and preparation

REFLECTION

What have you learned about ethics, history, the law and the world of art as you participated in this project? Is there a remedy for the misdeeds of history?

CONCLUSION

This is a problem that is not going to go away. Your generation will be left to consider the following questions

- Is there a moral difference between spoils of war and art acquired through corruption, intimidation or simple theft?
- When and why do the ancient stories of history determine the present fate of an artwork?
- Is an important work of art the property of the people of the world or an individual group?

Teacher Guidelines

STUDENT CENTERED OBJECTIVES

- To learn about the past
- To bring historical knowledge to a present day problem
- To understand the concept of "ethics"
- To research international law
- To explore a case study of disputed ownership
- To learn about the value in history of art and artifacts
- To participate in a "Court of Public Opinion"

PROCEDURES

- Divide the class into groups of four.
- Assign an individual case to each group. Choose the topics that fit into your curriculum and are within the reading ability of your class.
    - **KohiNoor Diamond** - Punjabi, but now one of the Royal Crown Jewels. Appropriate with a unit on India or British colonization as well as International Law
    - **The Elgin Marbles** - Appropriate for units on Ancient Greece, the British Empire, and International Law
    - **Greek Jewelry** - New York art dealer ordered to return jewelry to Greece Appropriate for units on Ancient Greece, the British Empire, and International Law
    - **Cypriot Mosaics** - From Greek Orthodox Church in Cyprus, recently purchased by American art dealer . Appropriate for units on Ancient Greece, the British Empire, and International Law. The Internet materials here consist of an actual court document. It begins with a quote from Byron. Pieces of it are well within the reading ability of any middle school student. But, it is very lengthy and is often full of legalese. For many students it should be edited first by the teacher.
    - **Benin Bronzes** - Taken from Nigeria during colonial period and now in Glasgow. Excellent for units on Africa, African Art, Nigeria, West Africa, the British Empire, and International Law
    - **Degas Painting** - Previously owned by a Jewish family, taken by Nazis, now in Germany. Appropriate for units on World War II, and International Law
    - **AnkorWat** - Taken apart in small pieces and pirated out of the county. Appropriate for units on Ancient Civilizations, Southeast Asia, and International Law, and contemporary issues.
    - **Priam's Gold** Originally from Troy, then part of European collections, confiscated in WWII, now in a Russian museum. Appropriate for units on

Ancient Civilizations, European History, International Law, and contemporary issues.
    - **American Indian Art** in private collections. Appropriate for units on The Americas, International Law and contemporary issues

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LEARNING ADVICE

Do not confine your research to the Internet. There are valuable resources in books and other media about these works of art and about the history surrounding the case.

- Define the individual roles in each group.
    - **Historian** - This person will compile the facts surrounding the case
    - **Illustrator** This person will create a drawing or model of the item and a map
    - **Art Historian** - This person will discover the fact about the artwork itself
    - **Lawyer** - This person will research the law
- **Instruct the class to prepare a final presentation to the "Court of Public Opinion,"** (the rest of the class) when they have completed their research.
- **Instruct the groups that this presentation is to take a position about the final ownership of the work(s).** Will it stay with the present owner, or will it be returned to its country of origin?

EVALUATION:

Develop a rubric with the class based on the following criteria:

- Clarity of the introduction and statement of the issue.
- Scope and depth of the information provided.
- Use of primary resources (quotations, visuals, documents, etc.)
- Restatement of the issues.
- Persuasiveness of position on the issue.
- Effective oral presentation.
- Seriousness of the approach to the subject.
- Positive interaction with others in your group during research and preparation

Have the class decide what a "6" presentation will be, a "5", a"4" etc. Do this before the preparation of the presentation so that each group has a clear idea about what it will be graded on.

REFLECTION

Encourage a discussion based on the following:

- What have you learned about ethics, history, the law and the world of art as you
- participated in this project?
- Is there a remedy for the misdeeds of history?

CONCLUSION

Conclude the lesson with the following thoughts or continue the discussion by asking the following questions. This is a problem that is not going to go away. Your generation will be left to consider the following questions

- Is there a moral difference between spoils of war and art acquired through corruption,
- intimidation or simple theft?

Resources

These more general resource sites can help you with the completion of the task.

WHAT IS THE LAW?

- CRM: US Government Agencies
  http://archnet.uconn.edu/topical/crm/crmusg.html
- ArchNet: CRM & Historic Preservation Resources
  http://archnet.asu.edu/archnet/topical/crm/crm.html
- Museums
  http://archnet.asu.edu/archnet/museums/museums.html
- Appeal of Decision in US court about return of Cypriot Mosaic from French and US Art dealers
- Art Historian Code of Ethics
  http://www.collegeart.org/caa/ethics/art_hist_ethics.html
- Legal instruments
  http://www.unesco.org/general/eng/legal/index.html
- UNESCO Protection of the World Cultural and Natural Heritage
  http://www.unesco.org/culture/legalprotection/
- Code of professional ethics for museum and dealer personnel Agencies
  http://www.icom.org/ethics.html

OTHER

- ICOM workshop on traffic in stolen goods
  http://www.nma.gov.au/icom/traffic.html
- HotBot results: stolen antiquities
  http://www.hotbot.com/?MT=stolen+antiquities&RG=NA&SM=phrase&_v=2&act.next.x=5&act.next.y=10(11+)
- article from book entitled 100 Missing Objects
  http://www.nma.gov.au/icom/restitution.html
- Is history just a lot of bad uncollectible debts?
  http://www.worldpaper.com/Archivewp/1997/Jan97/sinclair.html
- argument for and against - private vs public ownership of antiquities
  http://www.umich.edu/~classics/archives/numism/numism.980711.06
- Africa Reparations Movement
  http://the.arc.co.uk/arm/home.html

Last updated 18 April 2001

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